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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

In the Matter of )

LONG ISLAND LIGHTING COMPANY )

(Shoreham Nuclear Power Station, )  
Unit 1) )

Docket No. 50-322-OL-3  
(Emergency Planning)

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NRC STAFF'S SUPPLEMENTAL PROPOSED FINDINGS OF FACT AND  
CONCLUSIONS OF LAW ON CONTENTION 24.0  
(IDENTIFICATION OF NASSAU COLISEUM AS A RELOCATION CENTER)

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July 22, 1985

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1. As filed by the Intervenors on July 26, 1983, and admitted by the Board August 19, 1983, Contention 24.0 reads as follows:

The Plan designates Suffolk County Community College as the relocation center to be used by evacuees from eight of the 19 zones in the EPZ (Zones A-E, H-J). LILCO estimates the population of these zones to be 18,599 (26,574 in the summer). (See Plan, Appendix A, at IV-75 to 162). Suffolk County Community College is an entity of the Suffolk County government. LILCO has no agreement with Suffolk County to use Suffolk County Community College as a relocation center. Furthermore, pursuant to Suffolk County Resolution No. 456-1982 and Resolution No. 111-1983, the Suffolk County Community College will not be available for use in implementing the LILCO Plan. Therefore, there is no relocation center designated for a significant portion of the anticipated evacuees. Thus, the proposed evacuation of Zone A-E, H-J cannot and will not be implemented.

# I. PROCEDURAL BACKGROUND

2. All issues regarding relocation centers, including Contentions 24.P, 74 and 75, 1/ were litigated during the evidentiary hearing in July and August 1984. The hearing record closed on August 29, 1984. Tr. 15,714. However, with regard to Contention 24.0, the Board ruled that there was a void in the record, 2/ in that the Plan failed to designate a relocation center. Tr. 14,806-07 (Judge Laurenson).

3. Subsequently, LILCO moved to reopen the record on this contention to admit documents regarding the designation and use of the Nassau Veterans Memorial Coliseum as a reception center. 3/ The Board granted

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1/ A full text of these contentions is set out in Appendix C of our Partial Initial Decision of April 17, 1985.

2/ This "void in the record" was partially due to the fact that LILCO's earlier attempts to identify relocation centers in Suffolk County were rebuffed by the County and New York State who had control of those facilities and refused to make them available as relocation centers for the LILCO Transition Plan. Consequently, at the time the evidentiary hearing took place, Revision 4 of the Plan called for performing both reception center functions and congregate care functions in one facility, but testimony elicited at the hearing stated that these two functions were to be conducted at separate facilities. Cordaro, et. al., ff. Tr. 14,707 at pp. 15-16; Tr. 14,779; 14,801-02; 14,812-14 (Rasbury). The parties were on notice that LILCO was in the process of negotiating use of a facility in Nassau County for reception center functions, and the congregate care functions were to be provided by the Red Cross in Nassau County. See LILCO's Proposed Findings of Fact and Conclusions of Law, October 5, 1984, at pp. 246-254; Suffolk County/New York State Proposed Findings of Fact and Conclusions of Law, October 26, 1984, at pp. 422-431; NRC Staff Proposed Findings of Fact and Conclusions of Law, November 5, 1984, at pp. 232-237. The "void" in the record concerned the designation of the particular facility in Nassau County which would serve as a reception center. All other issues, including the congregate care functions, were fully litigated by the close of the record on August 29, 1984.

3/ LILCO's Motion to Reopen Record, January 11, 1985.

LILCO's motion on January 28, 1984 <sup>4/</sup> and provided inter alia, an opportunity for the other parties to submit proposed evidence. Proposed testimony was filed by the Intervenors, New York State and Suffolk County, and by FEMA.

4. In its Memorandum and Order of May 6, 1985, the Board ruled that an oral hearing was needed to resolve the contested issue in Contention 24.0 as to whether the designated relocation center, the Nassau Coliseum, is itself functionally adequate to serve as a relocation center for the anticipated general evacuees. The Board also determined that the documents filed by LILCO in connection with the motion to reopen the record should be considered as Applicant's prefiled testimony for the hearing. Additionally, the Board accepted as prefiled testimony submissions from FEMA and the Intervenors that dealt with the adequacy of the Coliseum as a relocation center. Issues outside the scope of Contention 24.0 were rejected. <sup>5/</sup> Prior to the hearing by letter to the

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<sup>4/</sup> Memorandum and Order Granting LILCO's Motion to Reopen Record, January 28, 1985.

<sup>5/</sup> Testimony filed by the Intervenors which was rejected as outside the scope of Contention 24.0 included testimony of Leon Campo regarding congregate care centers; testimony of James Johnson regarding evacuation shadow phenomenon; testimony of Charles Kilduff regarding traffic congestion on routes to the Coliseum; testimony of Langdon Marsh regarding New York State law issues; testimony of Sarah Meyland regarding groundwater pollution, and testimony of Edward Radford regarding the distance of the Coliseum from the EPZ and the number of evacuees to be expected at the Coliseum. On May 17, 1985 Intervenors filed a motion for reconsideration of our May 6, 1985 order which we denied in our Memorandum and Order of June 10, 1985. The issues sought to be raised by the Intervenors were matters that either had been previously litigated (congregate care centers,

Board of June 21, 1985, the Intervenor withdrew their proffered testimony.

5. A hearing was held on June 25-26, 1985, and the submissions of LILCO and FEMA were accepted in evidence. Tr. 15,870 and Tr. 15,991. LILCO's testimony consisted of an Affidavit of Elaine D. Robinson and six attachments pertaining to the Nassau Coliseum; FEMA's testimony consisted of an Affidavit of Thomas E. Baldwin, Joseph H. Keller, Roger B. Kowieski, and Philip H. McIntire.

## II. FINDINGS OF FACT

6. NUREG-0654, FEMA-REP-1, Rev. 1, sections J.10.h and J.12, discuss relocation centers. The functions to be performed in a relocation center can be divided into two principal functions: (1) reception center functions, including the registration, monitoring and decontamination of evacuees, if necessary; and (2) congregate care functions, including the temporary housing, feeding and provisions for first aid of proven uncontaminated evacuees. FEMA Affidavit, ff. Tr. 15,991 at 1. As noted above (n. 2, supra), the issue before the Board concerns only the reception center functions, and requires our consideration of whether the Nassau Coliseum is adequate to serve the reception center functions identified above.

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(FOOTNOTE CONTINUED FROM PREVIOUS PAGE)

evacuation shadow phenomenon, traffic congestion, number of expected evacuees) or were clearly outside the scope of Contention 24.0 (New York State Law issues, groundwater pollution).

A. Letters of Agreement

7. The Nassau Veterans Memorial Coliseum is a sports and entertainment/exhibition complex designed to accommodate crowds of between 15,000 to 17,000 people depending on the event. Robinson Affidavit, ff. Tr. 15,870 at 2. The Coliseum is located in south-central Nassau County at the intersection of Hempstead Turnpike and Meadowbrook Parkway, 43 miles from the Shoreham Nuclear Power Station and 33 miles from the western boundary of the 10 mile emergency planning zone (EPZ). Id., Tr. 15,892-93 (Robinson).

8. The Hyatt Management Corporation of New York, Inc. ("Hyatt") leases and manages the Nassau Veterans Coliseum for the County of Nassau. Robinson Affidavit, ff. Tr. 15,870 at 1. A Letter of Agreement between LILCO and Hyatt, dated September 25, 1984, authorizes LILCO and the Red Cross to use the Coliseum as a reception center; this Letter of Agreement was approved by Hyatt on October 8, 1984. Robinson Affidavit, ff. Tr. 15,870, Attachment 1. Specifically, this agreement allows LILCO to use the Coliseum, including the building itself and all parking lots and immediately surrounding property as a reception center for the general public, in planning for and responding to a radiological emergency at Shoreham. Id.

9. The Letter of Agreement further provides that LILCO will be given reasonable access to the Coliseum upon notification by LILCO to Hyatt or to Nassau County that a radiological emergency exists at Shoreham. Id. This "reasonable access" refers to the time which Hyatt would need to clear the Coliseum and parking lots if there were an ongoing event at the time an emergency occurred at Shoreham; this time could range from 15 minutes to an hour and a half. Tr. 15,924-25



(Robinson). However, LILCO personnel could arrive at the Coliseum and begin setting up immediately, and 24-hour security is in place at the Coliseum to permit entry to the building. Id.

10. In addition to the Letter of Agreement between LILCO and Hyatt, the Applicant also provided two letters from the Nassau County Executive, Francis T. Purcell. One of these is a letter from Mr. Purcell to Mr. Sumerlin, the General Manager of the Nassau Coliseum, which notes the County Executive is aware of, and approves the use of the Coliseum as a reception center in the event of an emergency at Shoreham. Robinson Affidavit, ff. Tr. 15,870, Attachment 2. Mr. Purcell also pledges that the Nassau County Police Department will be available to assist with security and to facilitate traffic flow and parking at the Coliseum and its approaches. Id. The other letter is from Mr. Purcell to LILCO, assuring that the Nassau County Government will cooperate in making all public facilities, including the Coliseum, available at any time. Robinson Affidavit, ff. Tr. 15,870, Attachment 6.

11. The Applicant also provided a Letter of Agreement between LILCO and the Red Cross, dated October 23, 1984, relating to LILCO's and the Red Cross' use of the Coliseum as a reception center. Robinson Affidavit, ff. Tr. 15,870, Attachment 3. This Letter of Agreement was approved by the Red Cross on October 24, 1984. Id.

B. Functional Adequacy of the Nassau Coliseum

12. The Nassau Coliseum has a Receiving Area with 15,500 square feet of space, an Arena with 17,000 square feet, an Exhibition Hall with 59,000 square feet, and an Arena lobby with 5750 square feet of space. Robinson Affidavit, ff. Tr. 15,870 at 2. The Coliseum also has locker

rooms and dressing rooms, with six showers in each of the four locker rooms and ten showers in the five dressing rooms. Tr. 15,895-96 (Robinson). There are also numerous sinks that could be used to clean evacuees with localized contamination. Robinson Affidavit, ff. Tr. 15,870 at 2.

13. FEMA testified that based on its review of the material supplied by LILCO, the Coliseum appears suitable for use as a reception center, since it has parking areas, showers and other amenities normally needed at reception centers. FEMA Affidavit, ff. Tr. 15,991 at 2. FEMA defined the "other amenities" as including toilets and facilities to feed people, and space to provide for registration and processing of evacuees. Tr. 16,000-01 (McIntire, Keller). However, final FEMA approval of the Coliseum for use as a reception center hinges on the incorporation of the details of the relocation plan in the LILCO Transition Plan, and an exercise in which a demonstration of the reception center function can be evaluated. FEMA Affidavit, ff. Tr. 15,991 at 2; Tr. 16,026-27 (Keller).

14. The LILCO Plan does not rely on use of the Exhibition Hall or Arena floor, since the Arena is in use 60% of the time, and the Exhibition Hall is in use 30% of the time. Tr. 15,926 (Robinson). The agreement, however, does not limit access and all facilities of the Coliseum would be available if needed. Tr. 15,895 (Robinson). Similarly, the LILCO Plan only calls for use of two of the four locker rooms, but all would be made available if necessary. Id.

15. Evacuees would initially be monitored for contamination in a large concrete-floored receiving area. Robinson Affidavit, ff. Tr. 15,870, Attachment 5; Tr. 15,899 (Robinson). Evacuees who are



determined to be free of contamination, would be directed on to the Arena floor where clean tags would be issued; evacuees who are determined to need decontamination would be directed up a short staircase and down a corridor to the locker rooms and dressing rooms. Tr. 15,898-99 (Robinson). Boundaries will be drawn up with yellow and magenta rope and a number of LILCO security personnel will be stationed at any possible points where the two groups could mingle. Tr. 15,897 (Robinson). Contaminated clothing would be gathered up and shipped to the Shoreham site for disposal. Tr. 15,907-08 (Robinson).

16. The Plan calls for monitoring evacuees for contamination of the thyroid, clothing, skin and shoes, and if thyroid contamination is present, the evacuee would be sent to the hospital. Tr. 15,901-02 (Robinson). If there were no thyroid contamination, the evacuee would be sent on to shower to remove any skin contamination. Id. The process would repeated as many as four times if necessary to remove contamination, but if any still remained, the evacuee would be sent on to a hospital for decontamination. Id.

17. The Plan also contains procedures for decontamination of vehicles by using disposable towels and spray bottles of a common cleaner for surface decontamination. Tr. 15,960-61 (Robinson). Interior of vehicles could also be vacuumed to remove any surface contamination. Tr. 16,033-34 (Keller). Additionally, there is a fire hydrant available at the Coliseum for washing vehicles, if necessary. Tr. 15,920 (Robinson).

18. The Red Cross will provide normal Red Cross activities, such as first aid, food, clothing, counseling and congregate care. Tr. 15,927-28

(Robinson). This assistance will be available by Red Cross personnel at the Coliseum, and evacuees needing shelter would be sent to congregate care centers operated by the Red Cross. Tr. 15,930 (Robinson). See also NRC Staff Proposed Findings of Fact and Conclusions of Law, November 5, 1984, at 234, (No. 592) and 235 (Nos. 595-596).


19. LILCO will identify the Nassau Coliseum as a reception center for evacuees in its public information materials, including the brochure to be published. Tr. 15,921 (Robinson). While all evacuees will be initially directed to the Coliseum as a reception center, a realistic planning assessment is to plan for 20% of the population, or 32,000 people of a potential 160,000 evacuees to seek out a relocation center. Tr. 15,970-75 (Robinson); See also NRC Staff Proposed Findings of Fact and Conclusions of Law, November 5, 1984 at 235, (No. 594).

### III. CONCLUSION

The void in the record which the Board previously found to exist with regard to Contention 24.0, has now been filled. LILCO's identification of the Nassau County Veterans Memorial Coliseum, and its provision of various Letters of Agreement regarding the Coliseum's use, establishes that a relocation center is available for the evacuees in the event of a radiological emergency at Shoreham. Further, the record demonstrates that the Coliseum is functionally adequate to provide the requisite reception center functions of registration, monitoring and decontamination. While ultimate FEMA approval must await incorporation of the reception center plans into the LILCO Transition Plan, and an exercise of the Plan, we find the LILCO Transition Plan has made adequate

provision for a relocation center to be used in the event of an radiological emergency. Accordingly, we find Contention 24.0 to be without merit.

Respectfully submitted,

*Bernard M. Bordenick* 

Bernard M. Bordenick  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 22nd day of July, 1985

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S SUPPLEMENTAL PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW ON CONTENTION 24.0 (IDENTIFICATION OF NASSAU COLISEUM AS A RELOCATION CENTER)" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 22nd day of July, 1985.

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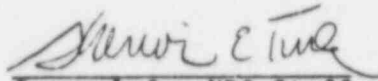
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